



Atty Dkt 5100-0702  
PATENT

1645/\$  
#6  
KW  
11-8-02

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on October 30, 2002

10/30/02

Date

James Kizer

Signature

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TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

BRUCHEZ et al.

Serial No.: 09/972,744

Group Art Unit: 1645

Filing Date: October 5, 2001

Examiner: Unassigned

Title: CELLS HAVING A SPECTRAL SIGNATURE, AND METHODS OF PREPARATION AND USE THEREOF

**PETITION TO CORRECT INVENTORSHIP UNDER 37 CFR §1.48(a)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This Petition is filed in order to correct the inventorship of the above-identified patent application under 37 CFR §1.48(a). The inventorship is incomplete due to an error made without deceptive intent.

Applicants respectfully request that Jianquan LIU be added as an inventor.

Accompanying this Petition is a Declaration in Support of Petition to Correct Inventorship, signed by the inventor to be added, a Consent of Assignee for Correction of Inventorship Under 37 CFR §1.48(a), a Substitute Declaration signed by each of the inventors, and the required fee pursuant to 37 CFR §1.17(i).

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The Commissioner is respectfully requested to act favorably on this Petition and amend inventorship as specified above.

The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account no. 18-1648.

Respectfully submitted,

Date: 10/29/02

By:   
Roberta L. Robins  
Registration No. 33,208  
Attorney for Applicants

ROBINS & PASTERNAK LLP  
545 Middlefield Road, Suite 180  
Menlo Park, CA 94025  
Telephone: 650-325-7812  
Facsimile: 650-325-7823



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BRUCHEZ et al.

Serial No.: 09/972,744

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TECH CENTER 1600/2900

Filing Date: October 5, 2001

Examiner: Unassigned

Title: CELLS HAVING A SPECTRAL SIGNATURE, AND METHODS OF  
PREPARATION AND USE THEREOF

**DECLARATION IN SUPPORT OF PETITION TO  
CORRECT INVENTORSHIP UNDER 37 CFR §1.48(a)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, Jianquan LIU hereby verify that the error in inventorship in the above-identified application occurred without deceptive intent.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

9-24-02

Date

Jianquan LIU



Atty Dkt 5100-0702  
PATENT

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10/30/02  
Date

Diane Kizer  
Signature

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

BRUCHEZ et al.

Serial No.: 09/972,744

Group Art Unit: 1645

Filing Date: October 5, 2001

Examiner: Unassigned

Title: CELLS HAVING A SPECTRAL SIGNATURE, AND METHODS OF PREPARATION AND USE THEREOF

**CONSENT OF ASSIGNEE FOR CORRECTION OF  
INVENTORSHIP UNDER 37 CFR §1.48(a)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Quantum Dot Corporation, the owner of the entire right, title and interest in and to the above-identified application, by virtue of an assignment, copy attached, hereby consents to the request to correct inventorship of the above-identified application to designate as additional coinventor the following individual: Jianquan LIU.

Date: 22 Oct 02

Kenneth Barovsky  
Quantum Dot Corporation  
Name: KENNETH BAROVSKY  
Title: Vice President

## ASSIGNMENT

## SOLE

THIS ASSIGNMENT, by Jianquan LIU (hereinafter referred to as the assignor), residing at Fremont, CA, witnesseth:

WHEREAS, the said assignor has invented certain new and useful improvements in CELLS HAVING A SPECTRAL SIGNATURE, AND METHODS OF PREPARATION AND USE THEREOF set forth in an application for Letters Patent of the United States, bearing Serial No. 09/972,744 and filed on October 5, 2001; and

WHEREAS, Quantum Dot Corporation, a corporation duly organized under and pursuant to the laws of California, and having its principal place of business at 26118 Research Road, Hayward, CA 94545 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient considerations, the receipt of which is hereby acknowledged, the said assignor has sold, assigned, transferred and set over, and by these presents does sell, assign, transfer and set over, unto the assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations, and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Union for the Protection of Industrial Property, the same to be held and enjoyed by the said assignee, for its own use and behoof and the use and behoof of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignor, had this sale and assignment not been made.

AND for the same consideration, the said assignor hereby covenants and agrees to and with the said assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, the said assignor is the sole and lawful owner of the entire right, title and interest in and to the said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that the said assignor has good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, the said assignor hereby covenants and agrees to and with the said assignee, its successors, legal representatives and assigns, that the said assignor will, whenever counsel of the said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of the said assignee, its successors, legal representatives and assigns.

AND the said assignor hereby requests the Commissioner of Patents to issue said Letters Patent of the United States to the said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use and behoof of the said assignee, its successors, legal representatives and assigns.

Date 9-24-02

Inventor

  
Jianquan LIU

## ASSIGNMENT

## JOINT

THIS ASSIGNMENT, by Marcel P. BRUCHEZ, R. Hugh DANIELS, Jennifer DIAS, and Larry C. MATTHEAKIS (hereinafter referred to as the assignors), residing at Belmont, CA, Palo Alto, CA, Dublin, CA, and Cupertino, CA, respectively, witnesseth:

WHEREAS, the said assignors have invented certain new and useful improvements in CELLS HAVING A SPECTRAL SIGNATURE, AND METHODS OF PREPARATION AND USE THEREOF set forth in an application for Letters Patent of the United States, bearing Serial No. 09/972,744 and filed on October 5, 2001; and

WHEREAS, Quantum Dot Corporation a corporation duly organized under and pursuant to the laws of California, and having its principal place of business at 26118 Research Road, Hayward, CA 94545 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient considerations, the receipt of which is hereby acknowledged, the said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto the assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations, and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Union for the Protection of Industrial Property, the same to be held and enjoyed by the said assignee, for its own use and behoof and the use and behoof of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, the said assignors hereby covenant and agree to and with the said assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, the said assignors are the sole and lawful owners of the entire right, title and interest in and to the said inventions and the application for Letters Patent

above-mentioned, and that the same are unencumbered and that the said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, the said assignors hereby covenant and agree to and with the said assignee, its successors, legal representatives and assigns, that the said assignors will, whenever counsel of the said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of the said assignee, its successors, legal representatives and assigns.

AND the said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to the said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use and behoof of the said assignee, its successors, legal representatives and assigns.

Date 9-25-02 Name of Inventor Marcel Bruchez  
Marcel P. BRUCHEZ

Date \_\_\_\_\_ Name of Inventor \_\_\_\_\_  
R. Hugh DANIELS

Date \_\_\_\_\_ Name of Inventor \_\_\_\_\_  
Jennifer DIAS

Date \_\_\_\_\_ Name of Inventor \_\_\_\_\_  
Larry C. MATTHEAKIS



## ASSIGNMENT

## JOINT

THIS ASSIGNMENT, by Marcel P. BRUCHEZ, R. Hugh DANIELS, Jennifer DIAS, and Larry C. MATTHEAKIS (hereinafter referred to as the assignors), residing at Belmont, CA, <sup>MOUNTAIN VIEW</sup> ~~Palo Alto~~, CA, Dublin, CA, and Cupertino, CA, respectively, witnesseth:

CHD  
9/27/02

WHEREAS, the said assignors have invented certain new and useful improvements in CELLS HAVING A SPECTRAL SIGNATURE, AND METHODS OF PREPARATION AND USE THEREOF set forth in an application for Letters Patent of the United States, bearing Serial No. 09/972,744 and filed on October 5, 2001; and

WHEREAS, Quantum Dot Corporation a corporation duly organized under and pursuant to the laws of California, and having its principal place of business at 26118 Research Road, Hayward, CA 94545 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient considerations, the receipt of which is hereby acknowledged, the said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto the assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations, and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Union for the Protection of Industrial Property, the same to be held and enjoyed by the said assignee, for its own use and behoof and the use and behoof of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

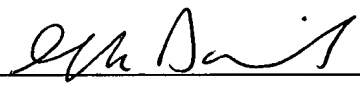
AND for the same consideration, the said assignors hereby covenant and agree to and with the said assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, the said assignors are the sole and lawful owners of the entire right, title and interest in and to the said inventions and the application for Letters Patent

above-mentioned, and that the same are unencumbered and that the said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, the said assignors hereby covenant and agree to and with the said assignee, its successors, legal representatives and assigns, that the said assignors will, whenever counsel of the said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of the said assignee, its successors, legal representatives and assigns.

AND the said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to the said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use and behoof of the said assignee, its successors, legal representatives and assigns.

Date \_\_\_\_\_ Name of Inventor \_\_\_\_\_  
Marcel P. BRUCHEZ

Date 9/27/02 Name of Inventor   
R. Hugh DANIELS

Date \_\_\_\_\_ Name of Inventor \_\_\_\_\_  
Jennifer DIAS

Date \_\_\_\_\_ Name of Inventor \_\_\_\_\_  
Larry C. MATTHEAKIS

## ASSIGNMENT

## JOINT

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AND for the same consideration, the said assignors hereby covenant and agree to and with the said assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, the said assignors are the sole and lawful owners of the entire right, title and interest in and to the said inventions and the application for Letters Patent

above-mentioned, and that the same are unencumbered and that the said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

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AND the said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to the said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use and behoof of the said assignee, its successors, legal representatives and assigns.

Date \_\_\_\_\_ Name of Inventor \_\_\_\_\_  
Marcel P. BRUCHEZ

Date \_\_\_\_\_ Name of Inventor \_\_\_\_\_  
R. Hugh DANIELS

Date October 16, 2002 Name of Inventor Jennifer Dias  
Jennifer DIAS

Date \_\_\_\_\_ Name of Inventor \_\_\_\_\_  
Larry C. MATTHEAKIS

## ASSIGNMENT

## JOINT

THIS ASSIGNMENT, by Marcel P. BRUCHEZ, R. Hugh DANIELS, Jennifer DIAS, and Larry C. MATTHEAKIS (hereinafter referred to as the assignors), residing at Belmont, CA, Palo Alto, CA, Dublin, CA, and Cupertino, CA, respectively, witnesseth:

WHEREAS, the said assignors have invented certain new and useful improvements in CELLS HAVING A SPECTRAL SIGNATURE, AND METHODS OF PREPARATION AND USE THEREOF set forth in an application for Letters Patent of the United States, bearing Serial No. 09/972,744 and filed on October 5, 2001; and

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AND the said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to the said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use and behoof of the said assignee, its successors, legal representatives and assigns.

Date \_\_\_\_\_ Name of Inventor \_\_\_\_\_  
Marcel P. BRUCHEZ

Date \_\_\_\_\_ Name of Inventor \_\_\_\_\_  
R. Hugh DANIELS

Date \_\_\_\_\_ Name of Inventor \_\_\_\_\_  
Jennifer DIAS

Date Sep 29, 2002 Name of Inventor Larry C. Mattheakis  
Larry C. MATTHEAKIS



Atty Dkt No. 5100-0702 **RECEIVED**

NOV 07 2002

SUBSTITUTE COMBINED DECLARATION AND POWER  
OF ATTORNEY FOR UTILITY PATENT APPLICATION

TECH CENTER 1600/2900

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if more than one name is listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: CELLS HAVING A SPECTRAL SIGNATURE, AND METHODS OF PREPARATION AND USE THEREOF the specification of which

     is attached hereto

X was filed on October 5, 2001

and assigned Serial No. 09/972,744.

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

I acknowledge and understand that I am an individual who has a duty to disclose information which is material to the patentability of the claims of this application in accordance with Title 37, Code of Federal Regulations, §§ 1.56(a) and (b) which state:

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated

through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office,

or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

I do not know and do not believe this invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application. This invention was not in public use or on sale in the United States of America more than one year prior to this application. This invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than six months prior to this application.

I hereby claim priority benefits under Title 35, United States Code § 119(e)(1) of any United States provisional application(s) for patent as indicated below and have also identified below any application for patent on this invention having a filing date before that of the application for patent on which priority is claimed:

| <u>Application No.</u> | <u>Date of Filing<br/>(day/month/year)</u> | <u>Priority<br/>Claimed</u> |
|------------------------|--|-----------------------------|
| 60/238,677             | October 6, 2000                            | Yes <u>X</u> No             |
| 60/312,558             | August 15, 2001                            | Yes <u>X</u> No             |



I hereby appoint the following attorneys and agents to prosecute that application and to transact all business in the Patent and Trademark Office connected therewith and to file, to prosecute and to transact all business in connection with all patent applications directed to the invention:

Roberta L. Robins, Reg. No. 33,208  
Dahna S. Pasternak, Reg. No. 41,411  
Gary R. Fabian, Ph.D., Reg. No. 33,875  
Narinder S. Banait, Reg. No. 43,482  
Kenneth Barovsky, Reg. No. 36,442

Address all correspondence to: Narinder S. Banait at

Customer No. 20855  
ROBINS & PASTERNAK LLP  
545 Middlefield Road, Suite 180  
Menlo Park, CA 94025.

Address all telephone calls to: Narinder S. Banait at (650) 325-7812.

This appointment, including the right to delegate this appointment, shall also apply to the same extent to any proceedings established by the Patent Cooperation Treaty.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature: Marcel Brucchez  
Full Name of Inventor: BRUCHEZ, Marcel P.  
Citizenship: US  
Residence: Belmont, California  
Post Office Address: 2425 Coronet Boulevard, Belmont, California 94002

Date: 9-25-02

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Full Name of Inventor: DANIELS, R. Hugh

Citizenship: US

Residence: Palo Alto, California

Post Office Address: 136 Seale Avenue, Palo Alto, California 94301

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Full Name of Inventor: DIAS, Jennifer

Citizenship: US

Residence: Dublin, California

Post Office Address: 8095 Aldea Street, Dublin, California 94568

Signature: \_\_\_\_\_


Date: \_\_\_\_\_

Full Name of Inventor: MATTHEAKIS, Larry C.

Citizenship: US

Residence: Cupertino, California

Post Office Address: 20612 Sunrise Drive, Cupertino, California 95014

Signature:  \_\_\_\_\_

Date: 9-24-02

Full Name of Inventor: LIU, Jianquan

Citizenship: Peoples Republic of China

Residence: Fremont, California

Post Office Address: 889 Mowry Ave., #87, Fremont, California 94536



Atty Dkt No. 5100-0702

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NOV 07 2002

SUBSTITUTE COMBINED DECLARATION AND POWER OF ATTORNEY FOR UTILITY PATENT APPLICATION TECH CENTER 1600/2900

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT:

My residence, post office address and citizenship are as stated below next to my name.

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\_\_ is attached hereto  
X was filed on October 5, 2001

and assigned Serial No. 09/972,744.

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

I acknowledge and understand that I am an individual who has a duty to disclose information which is material to the patentability of the claims of this application in accordance with Title 37, Code of Federal Regulations, §§ 1.56(a) and (b) which state:

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated

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I do not know and do not believe this invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application. This invention was not in public use or on sale in the United States of America more than one year prior to this application. This invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than six months prior to this application.

I hereby claim priority benefits under Title 35, United States Code § 119(e)(1) of any United States provisional application(s) for patent as indicated below and have also identified below any application for patent on this invention having a filing date before that of the application for patent on which priority is claimed:

| <u>Application No.</u> | <u>Date of Filing<br/>(day/month/year)</u> | <u>Priority<br/>Claimed</u> |
|------------------------|--|-----------------------------|
| 60/238,677             | October 6, 2000                            | Yes <u>X</u> No             |
| 60/312,558             | August 15, 2001                            | Yes <u>X</u> No             |

I hereby appoint the following attorneys and agents to prosecute that application and to transact all business in the Patent and Trademark Office connected therewith and to file, to prosecute and to transact all business in connection with all patent applications directed to the invention:

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Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Full Name of Inventor: BRUCHEZ, Marcel P.

Citizenship: US

Residence: Belmont, California

Post Office Address: 2425 Coronet Boulevard, Belmont, California 94002

Signature: 

Date: 9/27/02

Full Name of Inventor: DANIELS, R. Hugh

Citizenship: ~~US~~ U.K. <sup>RHD</sup> 9/27/02

Residence: ~~Palo Alto, California~~ MOUNTAIN VIEW, CA <sup>RHD</sup> 9/27/02

Post Office Address: ~~136 Seale Avenue, Palo Alto, California 94301~~

1144 KATIE COURT, MOUNTAIN VIEW  
CALIFORNIA 94040 <sup>RHD</sup> 9/27/02

Signature: \_\_\_\_\_

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Atty Dkt No. 5100-0702 NOV 07 2002

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Full Name of Inventor: DANIELS, R. Hugh

Citizenship: US

Residence: Palo Alto, California

Post Office Address: 136 Seale Avenue, Palo Alto, California 94301

Signature: Jennifer Dias

Date: 10/16/02

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Citizenship: US

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Signature: Larry C. Mattheakis

Date: Sep 27, 2002

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